

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
 Oscar D. Sandlin et al.)
 Serial No. 10/656,553)
 Filed September 6, 2003)
 LONG-LASTING SCENTED PAINT AND)
 METHOD FOR MAKING SAME)

DECLARATION

Submitted as a Declaration under 37 C.F.R. 1.132

1. I herewith state my name is Jack D. Smith. My address is 14000 McKinley Hwy Mishawaka, IN 46545.
2. Following is a recital of those portions of my education and work experience as related to paint
Chemistry Olivet Nazarene University, Chemistry Ball State University,
Chemistry Indiana University. Working As Application Chemist I
Studied and Analyzed Paint received. Found compatible Aromatic
Chemicals that emulsify with Paint Base. Ran stability
testing at laboratory at the Mishawaka Facility.
3. I have studied the methods of producing a Scented Paint detailed in the specification and the claims of the above identified U.S. Patent Application.
4. More specifically, I have studied claim 7 that details the method of making a long-lasting scented finish paint wherein the scenting agent is mixed with solvent and the

paint until thorough dispersion of all ingredients takes place and including the steps of: selecting a paint, selecting a suitable solvent, selecting a scenting agent of characteristics such that it will provide continued scent and odor after the paint is applied to a selected surface and allowed to dry and, mixing or agitating the paint, solvent and scenting agent until thorough dispersion of all ingredients takes place.

5. Further, I have studied claim 1 that details the method of making a long-lasting scented paint mixture wherein the scenting agent is mixed with pigment, binder, solvent and the vehicle until thorough dispersion of all ingredients takes place and including the steps of: selecting a pigment suitable for use in paint, selecting a binder suitable for use in paint, selecting a suitable solvent, selecting a suitable vehicle, selecting a scenting agent of characteristics such that it will provide continued scent and odor after the paint is applied to a selected surface and allowed to dry, and mixing or agitating the pigment, binder, solvent, vehicle and scenting agent until thorough dispersion of all ingredients takes place.

6. In my opinion, mixing or agitating the pigment, binder, solvent, vehicle and scenting agent until thorough dispersion of all ingredients takes place, as recited in claim 1, is an obvious method in view of the method of mixing or agitating the paint, solvent and scenting agent until thorough dispersion of all ingredients takes place as recited in claim 7 since the scenting agent will readily mix with the paint and solvent as the scenting agent will readily mix with the pigment, binder, solvent, and vehicle. Further, no hurdles need to be overcome when mixing or agitating to achieve thorough dispersion of the scenting agent when comparing mixing or agitating the scenting agent with the pigment, binder, solvent and vehicle as compared to with the paint and solvent.

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I, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of any patent application or any patent issued thereon.

Dated: April 6, 2006

A handwritten signature in black ink, appearing to be "A. Smith", written over a horizontal line.